

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MUHAMMED TILLISY,

Plaintiff,

v.

CHIEF BAIRD, et al.,

Defendants.

Case No. C12-2055-TSZ-BAT

**REPORT AND  
RECOMMENDATION**

Plaintiff moves to compel the Snohomish County Jail to correct its “vindictive behavior,” alleging the following: (1) the jail is withholding access to his mail; (2) the jail is preventing access to the federal court rules because when he seeks computer access the screen says, “insert cd-rom”; and (3) there was no reason to alter his schedule in May 2013 to remove law-library access on Thursdays and Mondays. **Dkt. 86.** Snohomish County defendants respond that these accusations are false because (1) he is receiving the same mail access as any other inmate such that he is not receiving court papers only when none have been filed; (2) the jail relies on inmates to tell them when a computer is malfunctioning and once he informed staff of the problem it was immediately fixed; and (3) during May 2013 Mr. Tillisy had 69 total hours of law-library access over 23 separate days, and for the sixth month period from December 2012 to May 2013, he averaged 59 hours per month. Dkt. 93, at 2; Dkt. 94 (Oster Decl.); Dkt. 94-1 (Law Library

1 Schedule).

2 The Court recommends **DENYING** plaintiff's motion to compel the Snohomish County  
3 Jail to correct its "vindictive behavior" because his accusations are demonstrably false. **Dkt. 86.**

4 Any objections to this Recommendation must be filed and served upon all parties no later  
5 than **July 19, 2013**. The Clerk should note the matter for **July 26, 2013**, as ready for the District  
6 Judge's consideration if no objection is filed. If objections are filed, any response is due within  
7 14 days after being served with the objections. A party filing an objection must note the matter  
8 for the Court's consideration 14 days from the date the objection is filed and served. The matter  
9 will then be ready for the Court's consideration on the date the response is due. Objections and  
10 responses shall not exceed three (3) pages. The failure to timely object may affect the right to  
11 appeal.

12 DATED this 28th day of June, 2013.

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15 BRIAN A. TSUCHIDA  
16 United States Magistrate Judge  
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